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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	<input checked="" type="checkbox"/> PROVISIONAL ORDER
	:	OF DISCIPLINE
JILL MARIE SEXTON, RN	:	
License # 26NR12760000	:	<input checked="" type="checkbox"/> FINAL ORDER
	:	OF DISCIPLINE
	:	(Finalized by default
TO PRACTICE NURSING IN THE	:	on <u>May 17, 2016</u>)
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Jill Marie Sexton ("Respondent") is a Registered Professional Nurse in the State of New Jersey and has been a licensee at all times relevant hereto. Respondent's license to practice nursing in New Jersey has been on inactive status since 2008. (Exhibit A).

2. On March 13, 2015, Respondent contacted the Board's designated intervention program, the Recovery & Monitoring Program (RAMP), and indicated that she needed assistance in reinstating her inactive license. On March 18, 2015, the day of her scheduled intake, Respondent called RAMP and left a message that she would not be enrolling or participating with RAMP. (Exhibit B).

3. On May 5, 2015, the Board sent a letter of inquiry requesting certain information and documents regarding Respondent's reported probation for drug-related charges/conviction to Respondent's address in Atlantic City, New Jersey, via regular and certified mails. The regular mailing was not returned. The receipt of the certified mailing was signed by an unknown person upon delivery on May 8, 2015. (Exhibit C).

5. To date, Respondent has not replied to the Board's request for information.

6. The Board received information indicating that on September 16, 2014, a felony information was filed in the First Circuit Court of the State of Hawaii charging Respondent with Promoting a Dangerous Drug (possession of methamphetamine) and Unlawful Use of Drug Paraphernalia. On November 17, 2014, Respondent pled no contest and moved to defer acceptance of her plea. On February 9, 2015, an Order was entered setting the deferral period at four years, during which Respondent was to be under the supervision of the Adult Client Services Branch in the State of Hawaii. On May 22, 2015, a motion was filed to set aside the Order for deferred acceptance and to issue a bench warrant for Respondent's arrest. According to the motion, Respondent moved to New Jersey and was required to report to a New Jersey probation officer. She failed to do so, and failed to notify either Hawaii or New Jersey of her change of address. On May 22, 2015, the First Circuit Court in the State of Hawaii issued a bench warrant for her arrest. (Exhibit D).

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3,

which the Board deems professional misconduct pursuant to N.J.S.A. 45:1-21(e) and also subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Respondent's plea of no contest in her Hawaii criminal case constitutes a conviction pursuant to N.J.S.A. 45:1-21(f). The Board finds that Respondent has been convicted of, or engaged in acts constituting, a crime relating adversely to the practice of nursing. N.J.S.A. 45:1-21(f).

Lastly, Respondent's drug-related conviction raises sufficient concern such that testing, monitoring, evaluation, and treatment are warranted, as a condition for reinstated licensure, to evaluate whether Respondent's practice as a nurse may jeopardize the safety and welfare of the public pursuant to N.J.S.A. 45:1-22(f) and to ensure that Respondent can properly discharge nursing functions pursuant to N.J.S.A. 45:1-22(e).

ACCORDINGLY, IT IS on this 18th day of November, 2015, ORDERED that upon the filing of a FINAL ORDER OF DISCIPLINE in this matter:

1. Respondent's New Jersey license to practice nursing is suspended until further Board Order and until Respondent cooperates with the Board's investigation by providing all the information requested in its letter of inquiry and until Respondent can demonstrate that she is fit and competent to

practice nursing.

2. The Board will not entertain an application for reinstatement from Respondent unless and until Respondent completes a comprehensive mental health and substance abuse evaluation under the auspices of RAMP, demonstrates that she is fit and competent to practice nursing, that she is in full compliance with any agreement with RAMP, that RAMP supports her return to practice, answers all inquiries regarding her criminal matters to the satisfaction of the Board, and complies with all other requirements for reinstatement.

3. By undergoing evaluation, Respondent expressly waives any claim of privilege or confidentiality that she may have concerning RAMP reports and disclosures to the Board, and use by the Board of that information in any proceedings.

4. All costs associated with the evaluation, monitoring, and/or treatment outlined above shall be the responsibility of, and paid directly by, Respondent.

5. Respondent is assessed a civil penalty in the amount of five hundred dollars (\$500) for failure to cooperate with a Board investigation. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card

payment delivered or mailed to State Board of Nursing, Attention: Leslie Burgos, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of a **Final Order of Discipline**. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

6. Respondent shall refrain from practicing as a nurse and shall not represent herself as a Registered Professional Nurse until such time as her license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

7. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30th day following entry hereof unless Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a) Submitting a written request for modification or dismissal to State Board of Nursing, Attention: Leslie Burgos, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.

b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

8. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a Final Order of Discipline will be entered.

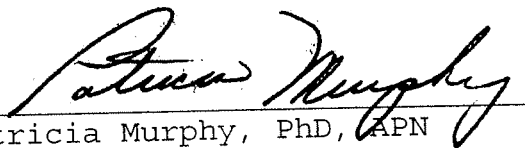
9. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

10. In the event that the Board receives no written submission from Respondent within 30 days following filing of this Provisional Order of Discipline, without further Board review, the Provisional Order of Discipline shall automatically become the Final Order of Discipline. The box for Final Order of Discipline shall be checked, the Final Order of Discipline shall be filed, and copies shall be mailed to Respondent. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

11. The Board reserves the right to initiate disciplinary proceedings or deny any petition for reinstatement based upon any information that Respondent ultimately provides in response to the letter of inquiry or upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD, APN
Board President